

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF REGULATORY SERVICES**

In re: Joseph J. Radecki, Jr. S.S.I.

Petition No. 971222-033-025

CONSENT ORDER

WHEREAS, Joseph J. Radecki, Jr. of Norwich, Connecticut (hereinafter "respondent") has been issued a subsurface sewage installer license number 003013 by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 393a of the General Statutes of Connecticut, as amended; and,

WHEREAS, the respondent admits that:

1. On or about December 1, 1997 he illegally repaired and/or modified a subsurface sewage disposal system at 10 Wilson Avenue, Waterford, Connecticut (hereinafter "the property") prior to the filing of the requisite application and receipt of the applicable permits from the Waterford Health Department. Further, he failed to notify the Waterford Health Department at least twenty-four hours prior to the commencement of the construction of the repair;
2. In connection with the repair of a subsurface sewage disposal system at the property, he allowed the system to be repaired by an individual who did not have the requisite apprentice permit; and,
3. As the licensee of record, he failed to provide proper supervision over the repair of the subsurface sewage disposal system at the property.

4. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-341d(b); §20-341f(a); §20-341f(d)(2); and/or §20-341f(d)(3) taken in conjunction with §§19-13-B103e, 19-13-B103e(c), 19-13-B103e(f) of the Regulations, Connecticut State Agencies.

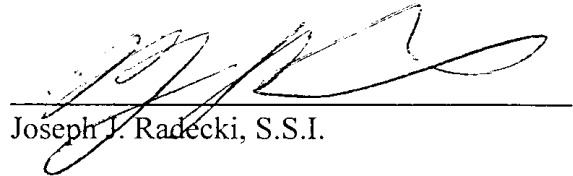
WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest this matter and agrees that for purposes of this or any future proceedings before the Department, this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10, 19a-14 and 20-341f(d) of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-341f(d) of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

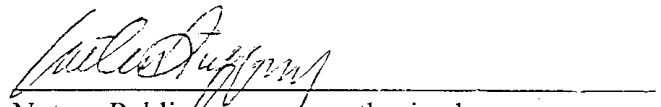
1. Respondent waives his right to a hearing on the merits of this matter.
2. Respondent's license number 003013 to practice as a subsurface sewage installer in the State of Connecticut is hereby reprimanded.
3. Respondent shall pay a civil penalty of five hundred dollars (\$500.00) by certified or cashier's check payable to "Treasurer, State of Connecticut." The check shall reference the Petition Number on the face of the check, and shall be payable at the time respondent submits the executed Consent Order to the Department.
4. Respondent shall comply with all state and federal statutes and regulations applicable to his licensure, including, but not limited to:
 - a. acquiring all requisite permits to perform the work of a subsurface sewage disposal system installer;

- b. supervising the construction, alteration, repair or extension of any subsurface sewage disposal system for which he is the licensee of record; and
 - c. acquiring and maintaining all requisite apprentice permits for his employees.
- 5. Respondent shall pay all costs necessary to comply with this Consent Order.
 - 6. This Consent Order is effective after the last signatory is fixed to this document.
 - 7. Respondent understands this Consent Order may be considered as a public document and evidence of the above admitted violations in any proceeding before the Department in which his compliance with this Consent Order or with Chapter 393a of the General Statutes of Connecticut, as amended, is at issue.
 - 8. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that he may have under the laws of the State of Connecticut or of the United States.
 - 9. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
 - 10. Respondent permits a representative of the Legal Office of the Bureau of Regulatory Services to present this Consent Order and the factual basis for this Consent Order to the Department. Respondent understands that the Department has complete and final discretion as to whether this executed Consent Order is approved or accepted.
 - 11. Respondent has the right to consult with an attorney prior to signing this document.

I, Joseph J. Radecki, Jr., have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.


Joseph J. Radecki, S.S.I.

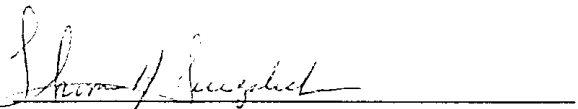
Subscribed and sworn to before me this 12TH day of FEBRUARY 1999.


Notary Public or person authorized
by law to administer an oath or affirmation
MY COMMISSION EXPIRES 5/31/2002

The above Consent Order having been presented to the duly appointed agent of the

Commissioner of the Department of Public Health on the 19th day of

FEBRUARY 1999, it is hereby accepted.


Thomas Furgalak, Director
Division of Environmental Health